

REMARKS

Amendments to the Specification

The specification has been amended to make reference to the parent application, USSN 09/511,342 and to comport with the Replacement sheets of drawings enclosed herewith.

Amendments to the claims

Claims 1-11, 13, and 16-22 are in this application. Claims 1 and 13 have been amended. New claims 16-22 have been introduced. Support for claim 16 can be found in claim 1 as filed and in Fig.2 of the present application. Should the Examiner have difficulties in finding support in the specification for the amendments and new claims, he is invited to call the undersigned representative to discuss the presence of such support.

Claim 1

Claim 1 as amended recites "*a standby power source for energizing only a subset of the components of the apparatus when said apparatus is in a standby state in which the main operative functionality is not operational . . . [and] . . . a self contained subsystem operable independently of the main operative functionality . . . powered by said standby power source and including an encoder . . . and a transducer . . .*"(Emphasis added).

Therefore, the encoder and the transducer can be powered independently of the main operative functionality.

In his previous response with reference to the parent application, Applicant has noted that while Kocis (U.S. Pat. No. 5,854,828) may disclose an encoder and a transducer and AAPA may disclose a standby power source, there is no teaching, neither in Kocis nor in AAPA, how to combine these documents, i.e. that a standby power source may be

used to power an encoder and a transducer. In his Action of March 18, 2003 the Examiner disagrees with Applicant by noting that “[w]hen the main power supply is not energized, the standby power supply is being used to power the customer computer, thus being used to power the encoder and transducer, too.” Applicant respectfully disagrees, and points out that column 3, lines 54-56 of Kocis discloses encoding performed by software. Therefore, the software based encoder would not be operational if the PC on which is running was running on standby power only. Thus, Kocis teaches away from the subject matter recited in claim 1 because Kocis calls for use of the main power supply to power an encoder. The Examiner should note that a “standby power supply” in this context is not a backup power supply, rather it is a power supply “for energizing only a subset of the components of the apparatus when [the] apparatus in a standby state in which the main operative functionality is not operational,” as claimed in claim 1 of the present application. Therefore, Applicant submits that claim 1 is patentable over the cited prior art.

Furthermore, what is the motivation to combine the teachings of AAPA and Kocis? The Examiner’s comments on this issue are, with all due respect, superficial. The present application in characterizing the AAPA points out on page 2 that the technology of Fig. 1 adds a significant cost to the computer as a whole and that many users find that the information provided by this additional hardware is beyond the understanding of the average user, so this average user resorts to calling customer service instead. The Kocis patent is concerned with a telephone customer support system. Why combine Kocis with the AAPA given its shortcomings?

Claims 2-8 and 10-11

Claims 2-8 and 10-11 are directly or indirectly dependent on claim 1. As a consequence,

they are deemed also to be patentable at least by virtue of their dependency on such claim.

Claim 9

In his Final Action with reference to the parent application, the Examiner rejects claim 9 under 35 USC 103(a) as being unpatentable over Kocis, and in view of AAPA and U.S. Pat. No. 5,148,478 to Saltwick. Applicant respectfully disagrees. The combination between AAPA, Kocis and Saltwick does not disclose the subject matter recited in claim 9. In particular, Applicant submits that there is no teaching in the combination between AAPA, Kocis and Saltwick that a standby power source may be used to power an encoder and a transducer, as claimed in claim 1 and incorporated in claim 9 by virtue of claim 9's dependency on claim 1. Should the Examiner disagree, he is respectfully requested to show where the combination of AAPA, Kocis and Saltwick teaches that a standby power source may be used to power an encoder and a transducer.

Claim 13

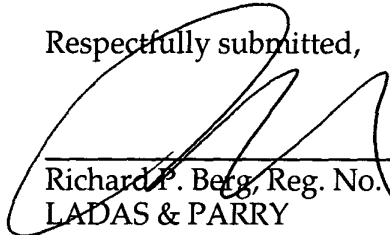
Claim 13 as amended recites a "call handling system . . . arranged to generate a database query from [a] parameter for retrieving for presentation to a support agent diagnostic data for the apparatus." This feature, taken from claim 14 as filed, has been found to be patentable in the Examiner previous Actions with reference to the parent application. Therefore, Applicant believes that claim 13 is patentable over the cited art.

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Claims 16-22

New claims 16-22 have been introduced. Applicant believes that claims 16-22 are patentable over the prior art cited in the parent application.

Respectfully submitted,



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Enclosures: Appendix including Replacement sheets 1-5 (Figs. 1-5)